



**U.S. DEPARTMENT OF TRANSPORTATION**  
**FEDERAL AVIATION ADMINISTRATION**  
Aviation Rulemaking Committee Charter

Effective Date: xx/xx/xx

**SUBJECT: Part 141 Pilot School Modernization Aviation Rulemaking Committee**

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**1. PURPOSE.** This charter establishes the Part 141 Pilot School Modernization Aviation Rulemaking Committee (ARC), pursuant to the Administrator's authority under Title 49 of the United States Code (49 U.S.C. § 106(p)(5)). The sponsor of the ARC is the Associate Administrator for Aviation Safety. This charter outlines the ARC's organization, responsibilities, and tasks.

**2. BACKGROUND.**

Training received under Title 14 Code of Federal Regulations (CFR) part 141<sup>1</sup> pilot schools allow an airman to obtain equivalent levels of aeronautical experience in fewer hours than required by Title 14 CFR part 61<sup>2</sup>. Part 141 prescribes curricula for training and procedures to ensure a training course used by a school is adequate, appropriate, and administered by qualified personnel. A reduction in training time requirements is permitted as the training is more structured, and part 141 schools are required to have Federal Aviation Administration (FAA) certification and oversight.

Licensing or certification of pilot schools is quickly approaching 100 years of existence. Although pilot schools' regulatory requirements have had some revisions to date, part 141 still has many foundational ties to Civil Air Regulations (CAR) part 50, which was implemented in the 1940s. Historically, regulatory revisions for pilot schools have stemmed from events such as advances in technology, aircraft accidents, and data collection and analysis. Regulations are typically promulgated to improve safety and embrace changes. Part 141 needs to be analyzed to determine how it can be more innovative and evolve with the aviation industry. Through the tasking of this ARC Charter, the FAA is requesting to collaborate with the flight training industry to significantly enhance part 141 for pilot training and certification.

**Regulatory History of Part 141:**

In 1929, in response to the accident data, the Air Commerce Act was amended to provide Federal licensing of flying schools. The licensing was divided into two classes of training: ground and flight.

In 1938, the Civilian Pilot Training Program (CPTP) was developed to utilize educational institutions to provide pilot training. The goal of the CPTP was to increase the number of pilots for military purposes which ultimately laid the foundation for collegiate pilot training.

The Federal Aviation Agency (FAA)<sup>3</sup> was created in 1958, and in 1962, promulgated Title 14 Code of Federal Regulations<sup>4</sup> (14 CFR) part 141.

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<sup>1</sup>Title 14 Code of Federal Regulations (CFR) part 141 pilot schools, hereinafter "part 141".

<sup>2</sup>Title 14 Code of Federal Regulations (CFR) part 61 pilot schools, hereinafter "part 61".

<sup>3</sup>In 1966, the FAA would acquire the current name of the Federal Aviation Administration (FAA).

The Veterans' Pension and Readjustment Act of 1967 was passed to allow the Veterans Administration (now the Department of Veterans Affairs (VA)) to reimburse eligible veterans for flight training conducted under part 61, 141, or 142. Today, flight training conducted by a part 141 pilot school is much easier for the VA to approve, knowing it has had prior approval from the FAA.

Since the 1970s, the FAA has gradually expanded the permitted use of flight simulation for training—first permitting simulation to be used in air carrier training programs and eventually permitting pilots to credit time in devices toward the aeronautical experience requirements for airman certification and recency. In 2009, the FAA issued a final rule and for the first time introduced the term “aviation training device” into the regulations and placed limits on the amount of instrument time in an aviation training device (ATD) that could be credited toward the aeronautical experience requirements for an instrument rating.<sup>5</sup>

On February 12, 2009, the loss of Colgan Air (Continental Connection) flight 3407 led to the National Transportation Safety Board's (NTSB) recommendation to initiate the signing of the Airline Safety and Federal Aviation Administration Extension Act of 2010. This Act provided provisions for modifying the air transport pilot (ATP) certification requirements to prepare air carrier pilots to operate more safely through educational requirements. This required all part 121 flight crew members to hold an ATP certificate.

On August 1, 2010, the Airline Safety and Federal Aviation Administration Extension Act of 2010 was signed into law to modify the requirements of the ATP certificate. The ATP Certification Training Program (CTP) was designed to bridge the knowledge gap between a pilot who holds a commercial pilot certificate and a pilot operating in an air carrier environment. Pilots who enroll in an ATP CTP course are required to complete specific knowledge areas, as required by section 61.156. After successful completion of the course, an applicant will receive the baseline knowledge and experience levels to help prepare them well to be a pilot in an air carrier environment. The pilot is issued a graduation certificate from the ATP CTP course which allows them to take the ATM (Airline Transport Pilot Multiengine Airplane) knowledge test. Part 121, 135, 141, and 142 certificate holders can seek approval for an ATP CTP course.

In 2011, part 141 was updated to include the following revisions: creating the combined private pilot certification and instrument rating course; allowing for the use of a technically advanced airplane in place of or in combination with a complex airplane or turbine-powered airplane to meet specific training requirements for a commercial pilot certificate with an airplane category rating or the addition of an airplane category rating to an existing commercial pilot certificate; and allowing the use of internet-based training programs.

Due to the 2009 Colgan Air accident, the FAA introduced section 61.160 in 2013, which continues to allow for a reduction of total time as a pilot required to apply for an ATP certificate with an

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<sup>4</sup>Note: Title 14 Code of Federal Regulations (14 CFR) – Aeronautics and Space was previously referred to as Federal Aviation Regulations (FARs). To avoid confusion with Title 48 Code of Federal Regulations (48 CFR) – Federal Acquisition Regulations Systems (FARS), which has the same acronym, the FAA now refers to the FARs as CFRs.

<sup>5</sup> Derived from Federal Register 81 FR 21460.

airplane category rating and multiengine class rating or an ATP certificate concurrently with a multiengine airplane type rating. One option to qualify for this reduction is the pilot applicant is required to attend an institution of higher education (IHE) and complete their aviation-related coursework with an approved part 141 ground school curriculum for the commercial pilot in an airplane category and the instrument-airplane rating at the IHE. The required flight training for the commercial pilot in airplane category and the instrument-airplane rating must be completed as part of an approved part 141 curriculum at the IHE or at a part 141 pilot school under a written training agreement with the IHE.

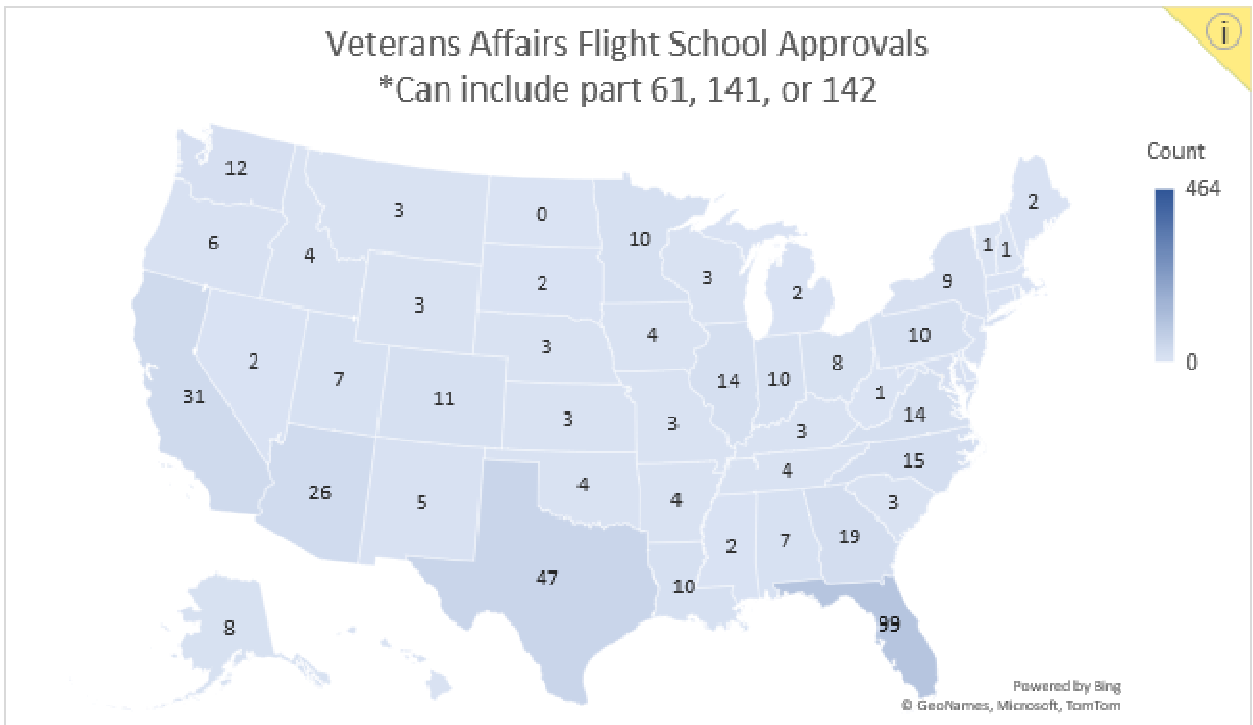
The last major change to part 141 occurred in 2016 when the FAA revised part 141 to increase the credit for training in an ATD toward the total flight training hours in an instrument rating course or in a combined private pilot certification and instrument rating course.

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## Funding for Veterans

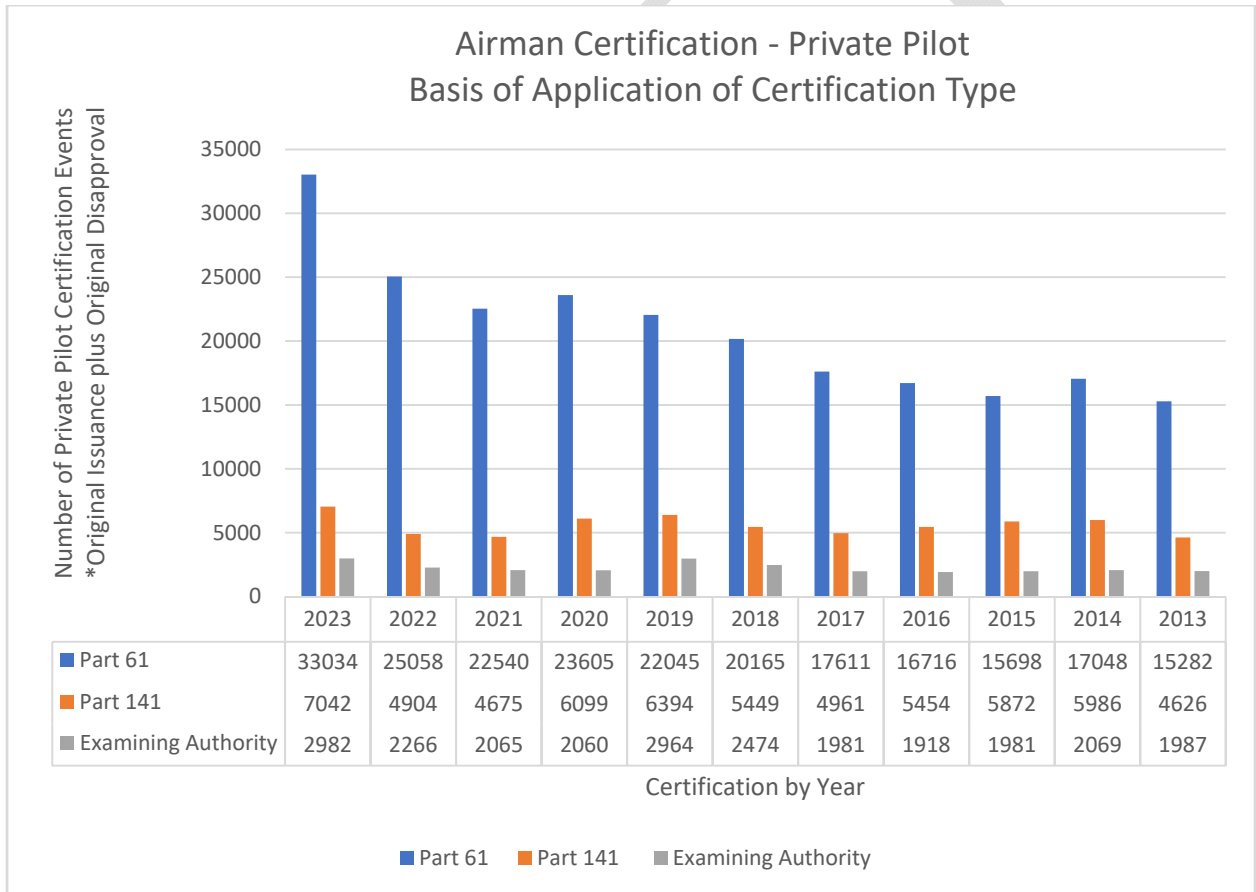
Although it is not well known, the VA offers benefits for training under part 61. However, training under part 141 allows for schools to have an FAA-approved course of curriculum to send to the VA for ease of approval under Title 38 CFR part 21 for tuition and fees for training. Currently, the Department of Veterans Affairs has given approval to over 464 flight schools<sup>7</sup> in the United States. The map below shows where those flight schools are located.



<sup>7</sup>Title 38 CFR 21.4263 utilizes the term “flight school” whereas Title 14 CFR part 141 utilizes the term “pilot school.” Title 38 CFR 21.4263(b) states that flight training can be conducted under part 61, 141, or 142.

*Examining Authority*

Examining authority is approved separately under subpart D of part 141 regulations for each of a pilot school’s<sup>8</sup> training courses. This allows for pilot schools to conduct certification of students who are enrolled in their own approved courses. Of the 521 certificated pilot schools, only 29 are approved to hold examining authority for at least one of their training courses. Looking at the total number of private pilot certification events below from 2013 through 2023, pilot schools with examining authority conducted between 7 to 9% of all private pilot certification tests, and part 141 pilot schools who did not have examining authority for their private pilot training course recommended between 14 to 16% of the total applicants for private pilot certification under part 61. On the other hand, the data indicates that flight instructors outside approved part 141 training are recommending approximately three quarters of the total applicants for private pilot certification under part 61.



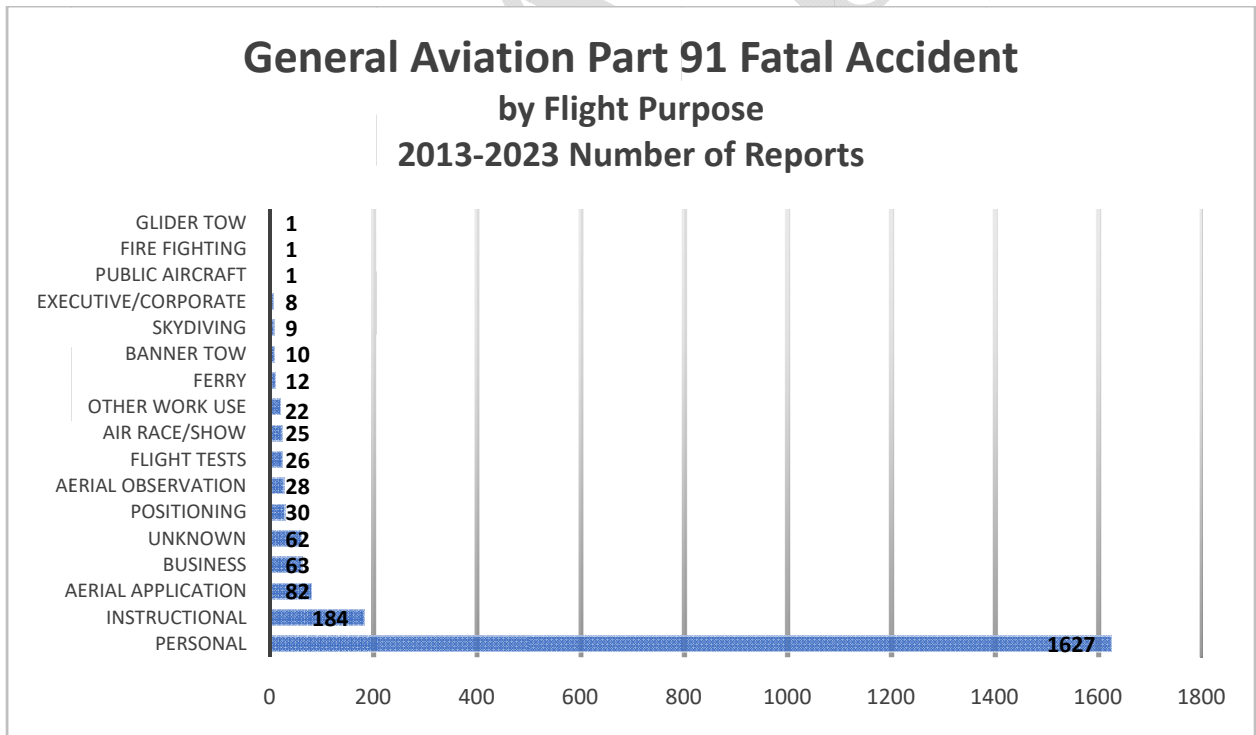
<sup>8</sup> Provisional pilot schools are prohibited from holding examining authority and are not included in the data.

*Reduction of required total time*

As previously noted in the history section, the FAA introduced section 61.160, which allows for a reduction of total time as a pilot required to apply for an ATP certificate with an airplane category rating and multiengine class rating or an ATP certificate concurrently with a multiengine airplane type rating. Key components of this qualification are the applicant is required to have attended and completed a specified amount of aviation coursework at an approved IHE, some of which must be delivered under part 141. Currently, there are 106 IHEs that are approved to issue the certifying statement under section 61.160 for a graduate to be eligible for an ATP certificate<sup>9</sup>.

**Instructional Flight Accident Data**

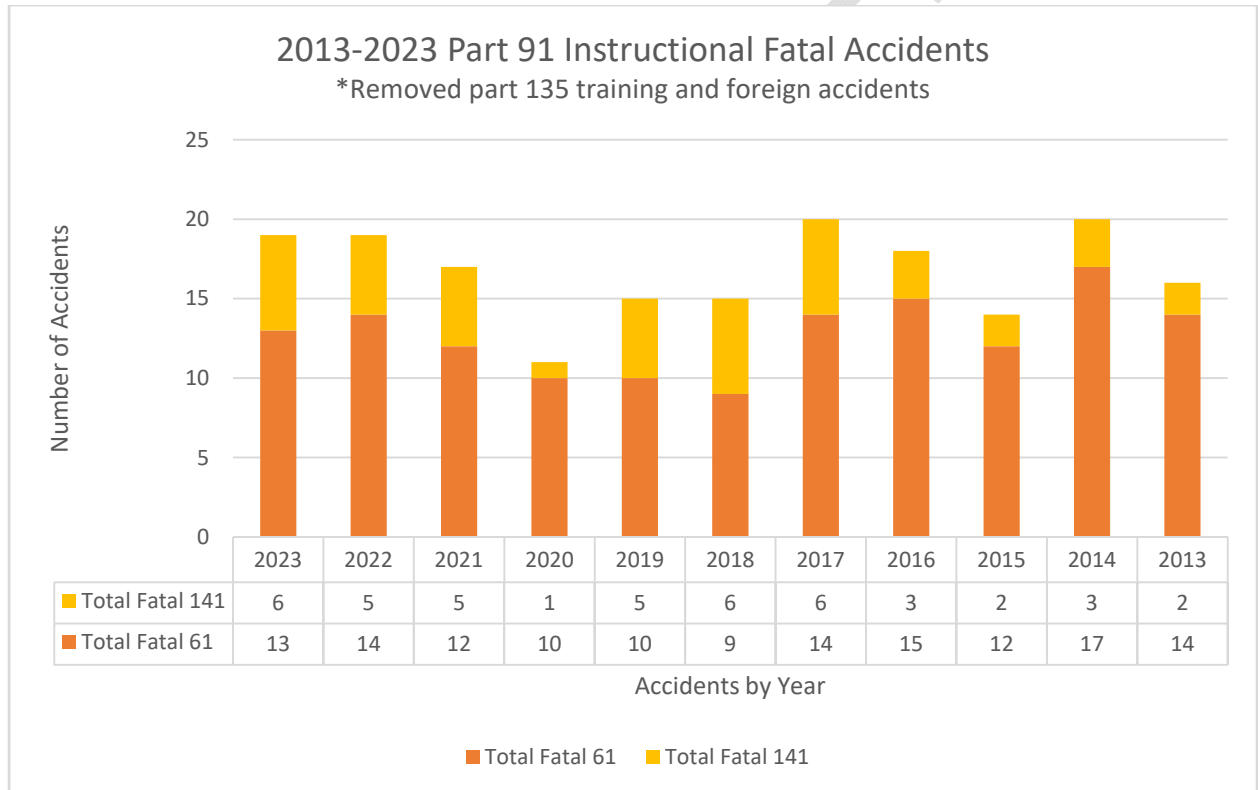
Within the General Aviation industry, there are many categories of Title 14 CFR part 91<sup>10</sup> flight rules in which fatal accident data is tracked. Between 2013 and 2023, there have been a total of 2,191 General Aviation fatal accidents. While personal flying categorization has the most fatalities, instructional flight is the second leading category. Instructional accidents can be defined from the NTSB Form 6120.1 as “flying while under the supervision of a flight instructor or receiving air carrier training.” Solo flight time that was under the supervision of a flight instructor is included under the “instruction” category.



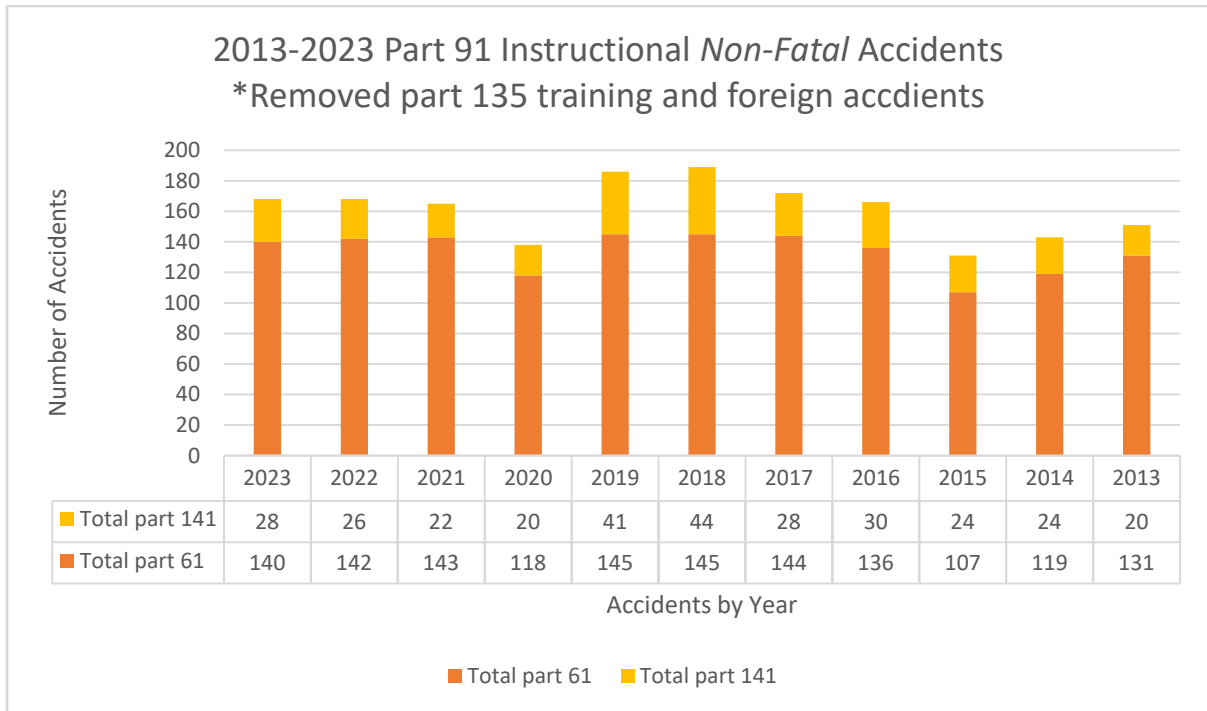
<sup>9</sup>[Institutional Authority List \(faa.gov\)](https://www.faa.gov)

<sup>10</sup>Title 14 Code of Federal Regulations (CFR) part 141 pilot schools, hereinafter “part 91”.

In the same 10-year timeframe, there were a total of 1,995 part 91 instructional accidents (including non-fatal accidents). Of those instructional accidents, there were a total of 184 that were fatal. In the 10 years of accident data presented, there were 23 reported fatal solo flight accidents, of which 4 were conducted under part 141 flight training. The remaining 19 solo fatal accidents were under part 61 flight training. The fatal accident data provided below has eliminated any of the air carrier training and provides a clearer picture of flight training conducted under part 61 or part 141.

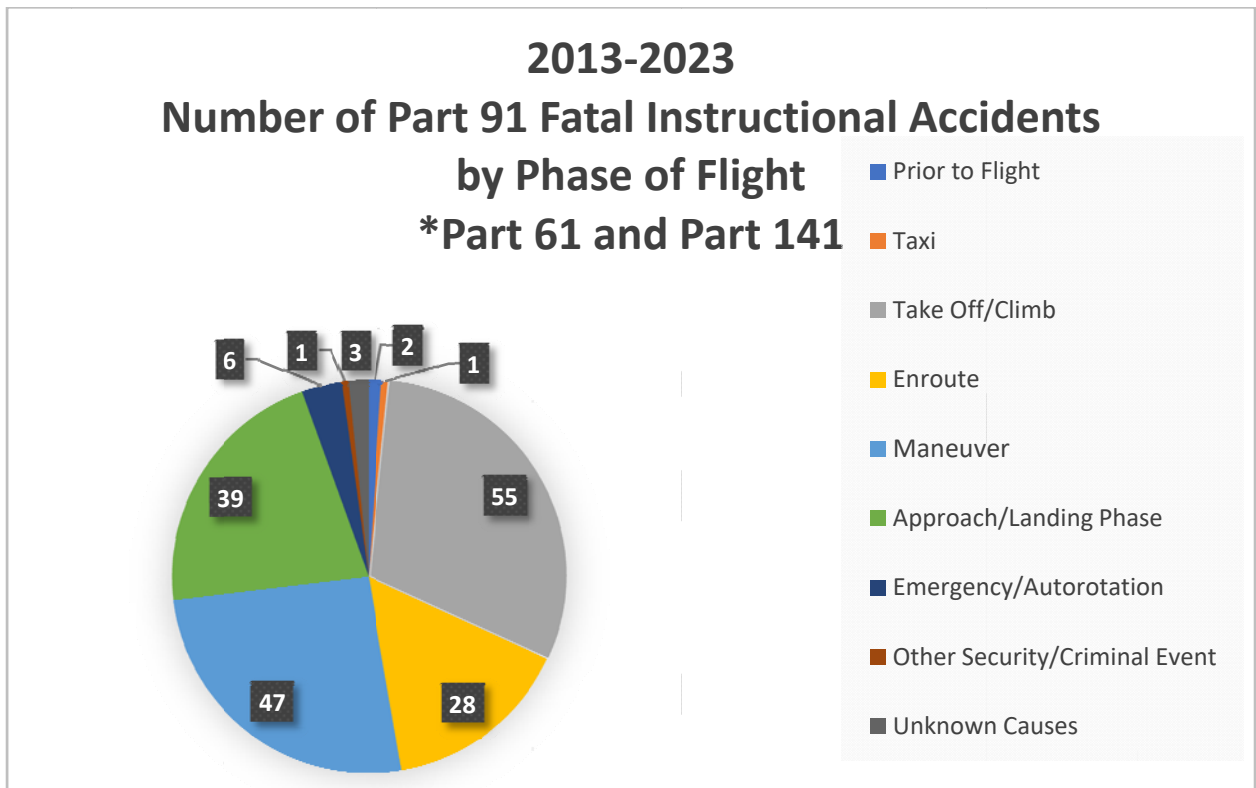


In the same 10-year timeframe, there were a total of 1,777 part 91 instructional non-fatal accidents. At this time, solo data has not been derived for part 91 non-fatal accidents.



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Within the 184 part 91 instructional fatal accidents, 51% of the accidents occur during takeoff, climb, approach, or landing. Loss of control (LOC) contributes to 34% of the instructional fatal accidents.



**Recommendation for Part 141 Modernization:**

Pilot schools have had many advancements in technology, aircraft design, advanced flight controls, avionics, propulsion, mechanical and electrical systems, and equipment since their initial codification in 1929. Over the past 20 years, in particular, there have been studied advancements in teaching and learning techniques utilizing competency-based training and assessments, human factors considerations, and simulation (virtual and mixed reality). For example, the International Civil Aviation Organization (ICAO) is striving towards competency-based training and assessment (CBTA). The goal of CBTA is to produce pilot training that is “outcome- focused” on competencies rather than quantitative hourly based training. Is part 141 able to meet the advancements in pilot training?

Technological and andragogical advancements can be drivers for regulatory change along with an increased demand for pilot certification. Beginning in 2018 and through 2019, pilot shortages were beginning to be mentioned by the commercial airline industry, especially by regional airlines that provide service to small, less frequently traveled airports. However, with the onset of the COVID-19 pandemic, there was an abrupt interruption to air travel, and the issue of shortages receded. To handle the downturn in demand and to reduce costs, many airlines grounded a large share of their

fleets and provided redundancy incentives to their workforce, including early retirements and similar measures. As demand returned beginning in late 2021 and through 2022, air carriers, both mainline and regional, once again began to experience the effects of a pilot shortage – namely, the inability to operate at the scale and volume for which they were authorized and equipped due to a shortage of personnel. While the FAA and industry stakeholders agree that more data is needed to assess the severity of this shortage, there is a mismatch between supply and demand, and that any steps taken by industry, such as increased wages, would not result in immediate relief.

The current demand for pilots is driving a need for change of part 141 personnel requirements. The higher wages within the airline industry are making it very competitive to find qualified personnel under part 141. For example, a chief instructor, as per section 141.35 is required to have 2,000 hours of pilot-in-command time for a course of training other than one leading to the issuance of recreational or private pilot certificate or rating, or instrument rating. An assistant chief instructor, as required under section 141.36 for the same course must have 1000 hours of pilot-in-command time. The airlines are offering bonuses that can match the yearly salary of a chief instructor for pilots who meet the ATP requirements of 1,500 hours total time, or lower if the pilot meets the R-ATP requirements. As a result, it is difficult to recruit or retain chief and assistant chief instructors. Could there be other qualification factors for these personnel under part 141 to recruit or retain these individuals while maintaining a safe learning environment?

The issuance of private pilot certificates has seen an overall increase of 50% since 2013. From 2022 to 2023, there was a 27% increase of private pilot certificates, which is indicating an increased demand for pilot training. Private pilot certification activity categorized by recommending entity is as indicated by the following data:

- Part 61 –77%
- Part 141 –14%
- Part 141 with examining authority – 9%

The data clearly displays that part 61 is producing more applicants than part 141. What is precluding part 61 flight schools from transitioning to part 141? Currently, there are 521 part 141 schools (29 hold examining authority) which are conducting less than 25% of private pilot certifications. The private pilot certification data is revealing that part 141 may not be leveraged to its full potential to meet the current demands of the aviation industry. For example, only 6% of pilot schools hold examining authority. Based upon existing data, it has been concluded that examining authority has been underutilized by part 141 pilot schools to conduct testing. The current regulatory framework of examining authority is lacking educational structure. For example, there are limited educational resources available to guide pilot schools on how to apply for and maintain examining authority. DPEs are required to attend annual meetings and initial and recurrent training to keep them abreast on any developments within pilot certification. Pilot schools with examining authority do not have any training requirements for their personnel conducting the tests. What are some other potential restricting factors keeping part 141 pilot schools from applying for examining authority?

Historically, accident data has been a driving force for regulatory change. In 1929, the Federal licensing of flying schools was implemented in response to accident data. As indicated above, the

current general aviation accident rate shows that personal flying accounts for 1,627 fatalities and instructional accidents account for 184 fatalities, which are the primary and secondary leading categories of general aviation accidents today. Although there is existing data for instructional accidents, the data, and resources available are limited. Further collection and analysis of accident data is imperative to make recommendations for the future of pilot training and certification, and to potentially point to areas in need of improvement within the pilot school industry. The ARC must be cognizant that the recommendations made by the group should increase safety and reduce future fatalities. The objective of modernizing part 141 is to create a foundation for a more structured and robust training environment to aid in the reduction of all general aviation fatalities.

Although pilot schools have advanced throughout the last century, part 141 pilot school regulations have been codified for nearly 62 years with few revisions. The FAA has confidence that now is the right time to partner with the flight training industry to create a new and modern part 141; one that serves the needs of current and future pilot schools, large and small, encourages innovation, and provides a robust and safe training environment; one which instills necessary knowledge, skills, and aeronautical decision making in its new pilots to reduce the overall accident rate for all types of flying.

3. **OBJECTIVES OF THE ARC.** The Part 141 Modernization ARC will provide a forum for the aviation community to discuss, prioritize, and provide recommendations to the FAA concerning future flight training conducted in the United States.
4. **TASKS OF THE ARC.** The tasks of the ARC are:
  - a. Assess whether the existing part 141 regulations are supporting the current and future needs of flight training in the US.
  - b. Discuss and provide recommendations on the requirements to obtain and maintain a part 141 pilot school certificate.
  - c. Discuss and provide recommendations for better utilization of examining authority under part 141. Consider how examining authority can be enhanced through eligibility requirements, training of personnel, and FAA oversight.
  - d. Discuss, define, and provide recommendations for what a 'modern' flight training and certification system should model to meet the needs of the flight training industry.
  - e. Discuss and provide recommendations on the integration of emerging technology into this modern flight training and certification system. Emerging technology could include, but is not limited to, flight simulation, electronic flight bag (EFB), electronic record keeping, advanced avionics such as an angle of attack indicator, advanced weather products and delivery, remote training, etc.
  - f. Discuss and develop recommendations on teaching, learning, and examining (e.g., competency-based, scenario-based, performance-based, etc.) methods that could be better utilized within the part 141 training environment.

- g. Discuss and provide recommendations to incentivize current part 61 training providers to become certificated pilotschools in the more structured part 141 environment which offers lower flight time requirements for pilot certificates and ratings. How can the FAA make the pilot school certificate easier to obtain and maintain vs. today's requirements so that holding the certificate will provide an added benefit to the holder and pilot training overall?
- h. Discuss and provide recommendations on how to capture data under part 141 to determine the quality of flight training. Can this data be utilized to quickly change training courses to correct safety issues or enhance training?
- i. For part 141 pilot schools affiliated with or wholly owned subsidiaries of a part 121 air carrier, discuss and provide recommendations on regulations similar to section 61.160 where a person may apply for an airline transport pilot certificate with an airplane category multiengine class rating or an airline transport pilot certificate concurrently with a multiengine airplane type rating with less than the 1500 hours minimum of total time as a pilot.
- j. Discuss and provide recommendations on incorporating into part 141 pilot school requirements a quality assurance system as outlined in ICAO Annex 1, Appendix 2, Item 4.
- k. The FAA may assign additional taskings related to flight training and examining.
- l. Within 12 months from the first meeting after the effective date of the charter, submit a recommendation report.
  - i. The Industry Co-Chair sends the recommendation report to the FAA Co-Chair and the Executive Director of the Office of Rulemaking.
  - ii. The FAA Co-Chair determines when the recommendation report and records, pursuant to paragraph (8), will be made available for public release.

## **5. ARC PROCEDURES.**

- a. The ARC acts solely in an advisory capacity by advising and providing written recommendations to the FAA Co-Chair.
- b. The ARC may propose related follow-on tasks outside the stated scope of the ARC to the FAA Co-Chair.
- c. The ARC may reconvene following the submission of the recommendation report for the purposes of providing advice and assistance to the FAA, at the discretion of the FAA Co-Chair, provided the charter is still in effect.

- 6. ARC ORGANIZATION, MEMBERSHIP, AND ADMINISTRATION.** The FAA will set up an ARC of members from the flight training industry. Members will be selected based on their familiarity and experience with flight training, examining, and associated components of safety, standards, and quality. Membership will be balanced in viewpoints, interests, and knowledge of the ARC’s objectives and scope.

The provisions of the August 13, 2014, Office of Management and Budget (OMB) guidance, “Revised Guidance on Appointment of Lobbyists to Federal Advisory Committees, Boards, and Commissions” (79 FR 47482), continues the ban on registered lobbyists participating on Agency Boards and Commissions if participating in their “individual capacity.” The revised guidance allows registered lobbyists to participate on Agency Boards and Commissions in a “representative capacity” for the “express purpose of providing a committee with the views of a nongovernmental entity, a recognizable group of persons or nongovernmental entities (an industry, sector, labor unions, or environmental groups, etc.) or state or local government.” For further information, refer to the OMB Guidance at 79 FR 47482.

Membership is limited to promote discussion. Attendance, active participation, and commitment by members is essential for achieving the objectives and tasks. When necessary, the ARC may set up specialized and temporary working groups that include at least one ARC member and invited subject matter experts from industry and government.

FAA and other Federal government agency subject matter experts may be requested to participate as Observers and to provide technical support to the ARC members.

- a. The Sponsor, Associate Administrator for Aviation Safety, will designate the FAA Co-Chair who will:
  - 1) Select and appoint industry members and the FAA participants,
  - 2) Select the Industry Co-Chair from the membership of the ARC,
  - 3) Ensure FAA participation and support from all affected lines-of-business,
  - 4) Provide notification to the members of the time and place for each meeting, and
  - 5) Receive any status report and the recommendations report.
- b. Once appointed, the Industry Co-Chair will:
  - 1) Coordinate required ARC meetings in order to meet the objectives and timelines,
  - 2) Establish and distribute meeting agendas in a timely manner,
  - 3) Keep meeting notes, if deemed necessary,
  - 4) Perform other responsibilities as required to ensure the objectives are met,
  - 5) Provide status reports, as requested, in writing to the FAA Co-Chair, and
  - 6) Submit the recommendation report to the FAA Co-Chair and the Executive Director of the Office of Rulemaking.

- 7. PUBLIC PARTICIPATION.** Meetings are not open to the public. Persons or organizations outside the ARC who wish to attend a meeting must get approval in advance of the meeting from the Industry Co-Chair and the FAA Co-Chair.

- 8. AVAILABILITY OF RECORDS.** Subject to applicable Freedom of Information Act (FOIA) Exemptions pursuant to Title 5, U.S.C., § 552, the FAA will make records provided by the ARC to the FAA available for public inspection and copying. Available records will be located at the General Aviation and Commercial Division (AFS-800), FAA Headquarters, 800 Independence Ave. SW, Washington, D.C. 20591. Fees will be charged for information furnished to the public according to the fee schedule published in Title 49 of the Code of Federal Regulations, part 7.

You can find this charter on the FAA Committee Database website at: [http://www.faa.gov/regulations\\_policies/rulemaking/committees/documents/](http://www.faa.gov/regulations_policies/rulemaking/committees/documents/).

- 9. DISTRIBUTION.** This charter is distributed to the Office of the Associate Administrator for Aviation Safety; the Office of the Chief Counsel; and the Office of Rulemaking.
- 10. EFFECTIVE DATE AND DURATION.** The ARC is effective upon issuance of this charter and will remain in existence for a maximum of 6 months, unless the charter is sooner suspended, terminated, or extended by the Administrator.

Issued in Washington, D.C. on

Michael G. Whitaker  
Administrator



**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION**

**Part 141 Modernization ARC**

**Proposed Membership List**

Proposed membership categories:

Aviation associations that may influence the modernization of 14 CFR part 141 ARC:

- National Association of Flight Instructors (NAFI)
- Aircraft Owners and Pilots Association (AOPA)
- Balloon Federation of America (BFA)
- Experimental Aircraft Association (EAA)
- Helicopter Association International (HAI)
- Soaring Society of America (SSA)
- Aviation Accreditation Board International (AABI)
- Air Line Pilots Association, International (ALPA)
- Flight School Associations of North America (FSANA)
- National Flight Training Alliance (NFTA)
- Society of Aviation and Flight Educators (SAFE)

Pilot Schools with a diverse training and examining background:

- ERAU
- UND
- LeTourneau
- Hampton University
- Elizabeth City State University
- United Aviate Academy
- Florida Memorial University
- Universal Helicopters
- All ATPs

Providers of:

- Electronic flight bags (EFBs)
  - Foreflight
- Electronic recordkeeping systems
  - AIMS
  - Northwest Data Solutions
  - Flight Schedule Pro
  - Paperless 141
- Aircraft avionics
  - Garmin
  - Dynon

- Aspen
- Commercially produced syllabi
  - Jeppesen
  - ASA
  - Kings
  - Gleim
- Training devices
  - Redbird
  - Frasca
  - FSI
  - CAE

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